

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ROBERT T. STRATTON,
Plaintiff

V.
CO. III. LT. J. A. TONY, ET AL,
Defendants.

Civil Action No. # 05-1601
Chief Judge, DONETTA W. AMBROSE/
Magistrate Judge, Lisa Pupo
LENIHAN

4/4/05

NOTICE OF APPEAL

Plaintiff moves in this Court Pursuant to the PA. Rules of Civil Appellate procedures (That Applies Herewith); Pursuant to ORDER of this Court Dated/Filed: DECEMBER FIRST (1ST) 2005, Directing Plaintiff to: 1. Submit His civil action in this Court before DECEMBER 28th 2005; 2. Provide the Clerk with a TRUE AND CORRECT COPY of Complaint and Service for each Defendant of this action before DECEMBER 28th 2005; OR 3. Face issuance of ORDER to show cause, in contest of DISMISSAL; OR... 4. SUBMIT A "NOTICE OF APPEAL", appealing this DECEMBER 1ST 2005 ORDER.....

IN WHICH NOW PLAINTIFF HERE BRINGS this NOTICE OF APPEAL [THIS MONDAY DECEMBER 5TH, 2005.] in compliance with RULE 72.1.3 (B) OF THE LOCAL RULES FOR MAGISTRATES, AND HEREWITH the following factors Plaintiff Presents in support of His Notice of Appeal:

- 1. Plaintiff HAS AND CONTINUES to work Diligently to complete His civil action complaint to the BEST of His performance [e.g. under present sufferance of NEUROLOGICAL complications and Daily Administration of Psychotropic Drugs to aid mental Disability.] AND YET, HAS BECOME SUBJECT (TARGET) By Correctional Officials of UNWARRANTED INTERFERENCE, OBSTRUCTION, AND CONFISCATION OF PAGES AND ELEMENTS OF my complaint on DATES: 11/11/05: [(Approx. 1830 Hours) involving Defendant's COI "CRATCH" CRATCH, & COII. Sgt. "ACE" BARKFELT, who took pages of my complaint during a "CELL SEARCH"] AND 11/14/05 [(Approx. 0815 Hours) involving Defendant COI. AA. "BONES" MORRIS, (WITH COI BISCA) CONSPIRING] TOOK SEVERAL PAGES of my complaint during a "CELL SEARCH" (with addition of pages taken of my complaint on 11/11/05). I was given an "Confiscated Items Receipt" (No. # A 517425) falsely alleging "ONLY TWO (2) PAGES of my complaint was taken and held to be reviewed by Security Staff officials, yet NOT A SINGLE PAGE of Plaintiff's complaint has BEEN "RETURNED" (SEE EXHIBIT "A" ATTACHED)

2. IN Addition to Facts in #1. MENTIONED ABOVE (RETALIATORY EVENTS) DELAY ~~is~~ IS NOT ON PART OF PLAINTIFF, AND PLAINTIFF IS ... BY SUCH, FORCED TO REPRODUCE, RECONSTRUCT AND CONTINUE THE PURSUANCE TO COMPLETE HIS CIVIL ACTION COMPLAINT BY WHAT LIMITED "RESOURCES" HE IS PROVIDED... THOSE "RESOURCES" BEING: (SEE EXHIBIT "B" AND "C" ATTACHED): ~~Plaintiff~~ By Policy of the DEPARTMENT OF CORRECTIONS, (DOC), PLAINTIFF SHALL NOT BE PROVIDED MORE THAN TEN (\$10.00) DOLLARS PER MONTH, TO AID IN LEGAL AFFAIRS (PHOTOCOPIES/POSTAGE/ETC.) NEVER TO EXCEED THIS LIMIT (\$10.00 PER MONTH) UNDER NO CIRCUMSTANCE!!! AND BY "DEBT", IS TO BE RESTORED!

3. PLAINTIFF HERE PROVIDES EXHIBIT "D" (PHOTOCOPY OF INVOLUNTARY COMMITMENT TO MENTAL HEALTH HOSPITAL IN 2000) TO CONFIRM LEGITIMACY OF PLAINTIFF'S MENTAL DISABILITY ASSERTED IN #1. (ABOVE) WHERE BY, ULTIMATELY, PLAINTIFF MAY HAVE TO SEEK THE ASSISTANCE OF APPOINTMENT OF COUNSEL, DUE TO HIS PRESENT CONDITIONS, DISABILITIES, AND NEUROLOGICAL AFFLICTIONS.

4. REGARDING FACTS HEREIN, AND EXHIBITS (A, B, C, & D) ATTACHED PLAINTIFF MOVES IN THIS COURT FOR AN "ORDER" ISSUED GRANTING (1.) AN ORDER to SUSPEND D.O.C. Policy (e.g. EXHIBIT "B" AND "C" ATTACHED) ~~ENABLING~~ ENABLING PLAINTIFF UNLIMITED RESOURCE RELATING TO LEGAL AFFAIRS (i.e. PHOTOCOPIES, POSTAGE SECURITIES, RESEARCH, ETC..) [OR] AN ORDER DIRECTING THE U.S. WESTERN DISTRICT COURT CLERK, TO REPRODUCE, PROPERLY DISTRIBUTE, AND PROVIDE PLAINTIFF WITH PHOTOCOPIES OF ALL... "ACTIONS, MOTIONS, ORDERS, PETITIONS ETC" BROUGHT BY PLAINTIFF IN THIS COURT, AND (2.) PLAINTIFF SEEK AN "ORDER" GRANTING HIM AN EXTENSION OF TIME, Not TO EXCEED THE DATE OF JANUARY 20th, 2006 BY WHICH WITHIN SUCH TIME PERIOD PLAINTIFF BELIEVES HE WOULD HAVE SUBMITTED HIS COMPLAINT IF NOT SOONER.

5. PLAINTIFF AFFIRMS THAT "VERIFICATION" AND CERTIFICATE OF SERVICE IS HERE ATTACHED.

Robert T. Stratton
PRO SE. ROBERT T. STRATTON
(DA-2917) 175 PROGRESS DRIVE
WAYNESBURG PA. 15370

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THIS 5TH, DAY OF DECEMBER 2005

VERIFICATION

I, PLAINTIFF, ROBERT T. STRATTON HEREBY VERIFY THAT ALL MENTIONED HEREIN THIS NOTICE OF APPEAL, AND EXHIBITS ATTACHED ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, BELIEF, AND INFORMATION RECEIVED, SUBJECT UNDER PENALTY OF PERJURY LAWS RELATING TO FALSIFIED UN-TRUE STATEMENTS AND/OR TESTIMONY

THIS 5th DAY OF DECEMBER 2005

 PRO SE ROBERT T. STRATTON

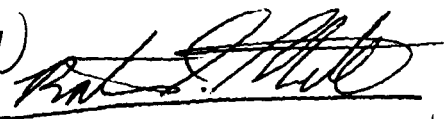
IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN
 DISTRICT OF PENNSYLVANIA
 ROBERT T. STRATTON, PLAINTIFF
 V.
 COILLT, J.A. TONY ET AL. (DEF.)
 CIVIL ACTION NO. 05-1601

CERTIFICATE OF SERVICE

I, PLAINTIFF, ROBERT T. STRATTON, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THIS "NOTICE OF APPEAL" HAS BEEN SERVED ON THE FOLLOWING BELOW: (U.S. WESTERN DISTRICT CLERK, FOR THE U.S. WESTERN DISTRICT COURT OF PENNSYLVANIA) BY PLACING THE SAME IN U.S. MAIL FIRST CLASS, AND PROPERLY ADDRESSED AS SUCH (BELOW) ON THIS 5th DAY OF DECEMBER 2005

12/14/05
 the appeal is denied as the
 order of the Magistrate Judge dated
 11/20/05 is neither clearly erroneous
 nor contrary to law.
 Matthew G. Ambrose

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